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THE
THOUGHTS
OF
A *Tory* Author,
Concerning the
PRESS:

With the Opinion of the *Ancients*
and *Moderns*, about Freedom of
SPEECH and WRITING.

And an *Historical Account* of the Usage it
has met with from Both PARTIES
in *England*.

L O N D O N :

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T H E
T H O U G H T S
O F
A *Tory* Author, &c.

S I R,

I Am very glad to find that this *House of C—s*, who have done so great Things for our Q—n and Country, have at last taken Cognizance of the Press, the License of which has lately been so Infamous. I was wonderfully pleas'd with your Votes, all but those relating to Authors putting their Names to every thing; which I cou'd wish had been mitigated; because there's certainly a great deal to be said against it, till you have pass'd it into an Act, and then we must submit to it with the same Pleasure we have done to many other Bills you have Pass'd into Laws for the Nation's Service, and the Honour of the Church and Monarchy. I believe all we mean by Restraining the Press, is to hinder the Printing of any Seditious, Schismatical, Heretical or Antimonarchical Pamphlets. We do not intend to destroy Printing itself; or

to abridge any one Set of Men of the Liberties of *Englishmen* ; that is, of Writing and Printing what the Law allows ; what may be consistent with our Loyalty to the Q—n, and our Love to the Publick Peace ; what is not against Morals or Good Manners. And surely there may be a Restraint put upon such Things without striking at the Press itself, and ruining a Trade which has been so serviceable to Liberty and the Reformation. What need there is of the Author's being oblig'd to put his Name, when you have a good Printer's and Bookseller's, I do not see ; for neither of them will make themselves accountable without being sure of his Author. And there may be a Thousand Things both Lawful, and indeed Useful to be Printed, which the Writer may not be willing to own. As for Instance : The *Spectator* is doubtless a very Lawful and Useful Paper ; yet I question whether the worthy Author wou'd think it convenient to put his Name to every one of them. I might say the same of the Works of some of our own Friends ; as, *The Tale of a Tub*, and *Law a Bottomless-Pit*. Yet I am sure we had never seen one of them, if the Reverend Author must have march'd in the Front. This is not all ; there are a great many Writers who have Obligations to particular Persons, and who cannot speak certain Truths without offending them, which they wou'd rather might be lost than venture ; and that not on Account of the Mischief it might do such Persons, but the Offence it might give their Pride or Humour ; for which their Interest might oblige 'em to have a Complacency.

Now

Now when Authors say nothing but what is True, what is agreeable to their Duty to the Church and the Q — n, what do's no Injury to the Reputation of any Man, but strikes at a Publick Grievance, a Reigning Vice, or Prevailing Folly, and shew that their whole Aim is to serve the Commonwealth; why we shou'd make the Studies of such Men useles, I can't imagine: And we who are already Out-printed by all the Politer Nations of *Europe*, shou'd be reduc'd to a State of Envyng the *Swiss*, or even the *Muscovites*.

Besides, what is it we propose by our Restraint, but to put a stop to the Mischiefs that arise by the Difficulties of Proof against *Printers* and *Booksellers*, who being oblig'd to answer for whatever Faults their Authors commit, which this Law may enforce, will take effectual care to bring them out, if there is a Clause to indemnify them on so doing.

I must own to you, I think we have our selves a little too much encourag'd this very License of which we so justly complain; and are too ungrateful to that Press which has been so assistant to us. You know we had it entirely all the while the Doctor was in Jeopardy, and have kept it ever since. If there had been a Law for Authors Names, would *Our Memorial* have ever seen the Light? Wou'd our *Examiner*, which had so great a Reputation among *Churchmen*, have dar'd to have Insulted, as he did, so many Noble Persons? Wou'd the Author of *the Letter* to him have put his Illustrious Name in the Front of so much Scandal? What wou'd have become of the *Essay upon Credit*? For God's sake, Sir
Thomas,

Thomas, Do you think, the Man who writ it wou'd have given it under his Hand that it *went for nothing*? I'll allow you, our Friend *Double* would have chang'd his *Nomme de Guerre* for his common One; and we get nothing by his *alias*, but then we shou'd have lost no more had he never writ, for he's gone, no Body minds him. And Two of our best Champions Six Years ago, Old *Double* and Sir *Humphry*, are in the same Condition, we have reason to fear, our present Writers will be in in less than half that Time. In a word, wou'd the Author of the *Conduct* have told you who he was, and defy'd you to do your worst to him, for what he has said against the *Protestant Succession*? Or indeed, Wou'd honest *Abel* have set his Mark to his *Dublin* Postscript, and the Account he gives of *Lesley's* Journey to *Switzerland* to convert the Pretender, and hinder any more *Come-overs* among us.

I do not believe, the other Side has half so much to say for the Press as we have. I hardly know a Thing Publish'd by them which a Man might not have put his Name to, except Two or Three Ballads; and truly I shou'd not be sorry if there was not a Ballad, nor a Poem to be Printed without the Author's Name. It wou'd probably prevent a great deal of Ill Poetry; for I don't know above One or Two Writers in *England* of that kind, who are so fond of their Names, as to fancy every one is in Love with them as much as themselves, or that they will be admir'd by such as never heard of them: An Example or Two has been of late given us, but I despair of meeting with any more in a good while; and the Doggrel
that

that we are to be plagu'd with will surely come out *Incognito*, unless there's a Law against it ; to which I should heartily subscribe, if it were not to allarm all the Inhabitants of *Parnassus*, whose Indignation is not to be despis'd : It being well known, that in King *Charles's*, and King *James's* time They did as much mischief to us by their Lampoons, as the whole Party of *Whiggs* have done since by their Pamphlets ; and I must tell you they will fall to it again if they are encourag'd. A Hundred Thousand Copies, in Manuscript, of some of their Satyrs, have been dispers'd, when if they might have printed them, the Hundredth Part would not have gone off. The pretended Scarcity of them added a Value to that, which if it had been Publish'd, wou'd perhaps have been forgotten in a Week. This by the way is worth considering, I mean only, if there can be a convenient Restraint put upon the Press, without obliging Authors to own themselves, and make their Names as common as *Cafe's*.

Further you will consider, that not a Tenth Part of the Printer's Work is done for Fame, and by Persons of Quality. When you see that in a Title Page, 'tis no more to be minded than in a Playhouse Bill. The Gentry who for Money oblige the World with their Scriptiions are not those who have done the Harm ; and yet 'tis they who will pay for't. If they should be forc'd to appear always in Person, in half a Years time, a *Covent-Garden* Punk would not be more scandalous : and a Billet-Doux from a profess'd Strumpet would be as creditable, as a Dedication from a Profess'd Writer

ter. He can now, like a Town-Wench, sell his Maidenhead Ten Times over, and after that keep up a sort of Reputation sufficient for a Livelihood ; but if you compel him to do as the Courtezans abroad, and hang out his Sign when he is sinning, there will be an end of the Profession; we being too far *North* to catch at every Thing, and must always have something more than Inclination to tempt us. Yet these are the Gentlemen who furnish the Press and keep it always jogging, who occasion the Consumption of vasts Quantities of Paper, and supply afterwards many necessary Trades, as *Grocers, Tobacconists, Trunkmakers, Bandboxmakers*, and the like, which cou'd hardly subsist without them. If they embark in any Faction, it is not with the View of making Converts but of getting Customers, and there's scarce a Man of them so attached to a Party that they can depend on him for a Month. It would be a hard matter to pick out One who has not Scribbled as much on this side as on that ; they being certainly extremely impartial in those Cases. It is not a Trifling Business to consider how much this Restraint will lessen the Paper Tax; & it is, we all know, of very ill consequence to have our Funds come short, at a time when Credit is not so well fix'd as it has been, and they are not of themselves in the highest Reputation.

The great Objection, is the scandalous Practices of the *Pyrate* Printers and their *Hawkers*; which will be remov'd, when all Printers are oblig'd to put their Names, and Register their Presses : Thus it will be as easy to come at

'em

'em as at a Figur'd Coachman, or Ticket-Porter; and the Offenders will have no way to escape the Correction they deserve; which will at once put an end to that grievance, a crying one I own, and it is high time it should be redrest. I acknowledge, that to plead for the Press is *Whiggish*, and for that Reason I shall omit many Things which occur to me on that Head; the rather, because the Clamour against the Enormity of it at this time is so just and reasonable: However, I cannot omit hinting to you, that if we are too severe in our Laws to restrain it, it will give a Handle to the *Whiggs* to upbraid us with their old exploded Reproaches of our hating Liberty, and always promoting Slavery: Which I hope they can't say of us now a-days, when there has not been One Thing done that shews the least tendency to it; unless our Enemies turn this necessary Reformation of a notorious Abuse on us as an Argument that we wou'd make 'em Slaves, because we wou'd make them discreet and mannerly. *Republican* Writers have ever been extolling the Benefit of *Freedom of Speech*, as if there could be no State Free where every one might not say what he thinks, as *Matchiavel* has it: Under a good Prince you will find the happy Golden Age, where each is at liberty to have and sustain the Opinions which please him best. I cannot allow of that, and shou'd as soon believe what he says in his next Chapter; *Those that attempt to govern a People, should make all away that are contrary to the New Methods of Government.* Quick Work was it seems the best with him, as well as with some late Politicians;

Dec. Liv.
Lib. I. Cap.
10.

but they had been *Republicans* from the Cradle, and there is no minding what they say. He himself afterwards allows the ill consequence of such Freedom of Speech, even in Commonwealths; for he tells us, *The ill Judgments given upon a Popular Government proceeds from the Liberty every one takes to speak ill of it, because they can do it in the Place where the People are Masters, unpunish'd; but as to Princes, they must be talk'd of with Reserve and Respect*: And with very good Reason I think, who am as much in love with Legal Liberty, that is, with our own Constitution, as the errantest *Whigg* in *England*: And so we are all, tho' now and then, we affect to strain a Point to distinguish Ourselves from Them.

I have heard what the Antient Philosophers have said in praise of Free-speaking, such as *Bias, Solon, Diogenes*, and others, who have spoken many fine Apothegms on that Subject. But I have observ'd, that those Philosophers were Men of *Whigg* Principles; and how cou'd it be otherwise, when they were born and bred in Republicks? Yet there is a great deal of Truth too in what some of them said. As in that of the Poet cited by *Milton*, in a Discourse he wrote for the Liberty of Printing.

*This is true Liberty, when Free-born Men,
Having to advise the Publick, may speak Free:
Which he who can and will deserves high Praise;
Who neither can nor will, may hold his Peace:
What can be juster in a State than this?*

Euripid. Hicetid.

This Discourse of his was written at the Time when the Parliament was passing an
Ordo-

Ordonance, " That no Book, Pamphlet or Paper, shou'd be Printed, unless the same was first Approv'd and Licens'd by such as should be thereto appointed." Upon which *Milton* argues with his usual Strength and Boldness: *Who kills a Man, says he, kills a reasonable Creature, God's Image: But he who destroys a good Book, kills Reason it self; kills the Image of God, as it were, in the Eye.* He then goes on to inform us what the Antients did in this Case. Only Atheistical Books and the Old Comedy were condemn'd by the Judges of the *Arcopagus*, Books of Blasphemy and Open Defamations. Of other Sects and Opinions, continues he, tho' tending to Voluptuousness, and the denying of Divine Providence, they took no Heed. Therefore we do not read that either *Epicurus*, or that *Libertine School of Cyrene*, or what the *Cynick Impudence* utter'd, was ever question'd by the Laws. As to the Old Comedy, he adds, *It is not recorded that the Writings of the Old Comick Poets were suppress'd, tho' the Acting of them was forbid.* Nay, *Plato* commended the Reading of *Aristophanes*, the Loofest of them all, to his Royal Pupil *Dionysius*; tho' it is well known, that he took the Liberty to Abuse the Divine *Socrates*, and play him on the Stage by Name and Resemblance, as the Manner then was, with the utmost Ridicule; yet it is fear'd there are not many Examples of so much Virtue in a Character, nor so much Wisdom in a Government, as were in the Republick of *Athens*, and in the Person of *Socrates*. However, the Famous *St. Chrysostom* did not think it indecent to Study that Licentious Comick Writer, every Night, and

found an Art to Improve the Oratory of the Chair by the Satyr of the Stage. From Greece he travels to *Rome*, and acquaints us with the Usage of the *Romans* as to Liberty of Speech, and Writing. *Lucretius* addressses his *Epicurism* to *Memmius*, and was publish'd a second Time by *Cicero*, who himself wrote against the Doctrine of *Epicurus*. Nor was the Scandal of *Lucilius*, *Catullus*, or *Flaccus*, ever prohibited. *Livy*, who always speaks favourably of *Pompey's* Party, had no other Reproof from *Augustus*, but to be called a Whig, *Pompeianus*. From hence, says *Milton*, we shall meet with little else but Tyranny in the Roman Empire, that we may not marvel, if not so often bad as good Books were silenc'd.

When the Empire became Christian, and General Councils fell severely on *Arius's* and other Heresies, the Writings of the Heathen Authors were not interdicted till the beginning of the Fifth Century, when Superstition began to prevail. Father *Paul* observes in his History of the Council of *Trent*, that the Primitive Councils were only wont to declare what Books were not commendable, passing no farther, and leaving it to every Man's Conscience to read or to lay by, till the Year 800, when the *French* settled the Empire of the Papacy, and a Restraint was immediately put on Books and Writings. Nevertheless, the Popes were very tender as to this Point, till *Wickliff* and *Huss* frightened them into a Prohibition of all Reading that was not on their Side. And the first Instance of *Licensing* was that of the Council of *Trent*, who Ordain'd, that no Book, Pamphlet, or Paper, should be printed,

printed, unless Approv'd and Licens'd under the Hands of Two or Three *Fryars*, sometimes there have been Five *Imprimaturs*. Before this Ecclesiastical Tyranny, that great Poet tells us, *Books were ever as freely admitted into the World as any other Birth; the Issue of the Brain was no more stifled than the Issue of the Womb.* And besides the Reasons he urges against such a Severity, he proves its Insufficiency; it never answer'd the End propos'd by it. *Do we not see, says he, not once or oftner, but weekly, that continu'd Court-Libel against the Parliament and City, printed, as the wet Sheets can witness, and dispers'd among us for all that Licensing can do.* The Lord Bacon said, *That the punishing of Wits, enhances their Authority; and a forbidden Writing, is thought to be a Spark of Truth, that flies up in the Faces of them who seek to tread it out.* And the Partiality which will always be found in Writings coming out under such Difficulties, cannot be better express'd than when he says, *These authoriz'd Books are but the Language of the Times, not of Truth.* The History of such Records will be lookt upon by Posterity as part of the Fabulous, when all on one Side were Gods, and all on the other Devils. I do not pretend to give this as unquestionable Authority, whatever comes from Men of Republican Principles ought to be suspected. I shall therefore tell you what was the Opinion of some *Tories* of Antiquity; of *Tiberius*, *Caligula* and *Nero*, as we find it in *Suetonius*. *Tiberius*, says he, *shew'd always very little Concern for the scandalous Reflections, and evil Reports of Others, enduring the Lampoons of the Town very evenly; having this Saying*

Suet. Vit.
Tib.

often

often in his Mouth; In a Free City Mens Thoughts and Tongues should be Free ; and when the Senate would have taken cognizance of Crimes of this Nature ; He said, ' We have not time enough to meddle with inconsiderable Matters, if once you give countenance to such Debates, no other Business will be dispatch'd, while under this pretence every Private Pique shall be brought before you to be decided.' I am sure there is nothing in History that gives us any reason to object to his Judgment, and one might Paraphrase upon it handsomely if it wou'd not be too grateful to the opposite Party, who are always for putting the worst Constructions upon Things, and catch hold of every word that makes for their purpose. I am of *Tiberius's* Mind entirely, that the meddling with Disputes about Slander and Scandal, shou'd not at all give Interruption to any Affairs of Importance. I have seen whole Books written in vindication of Satyr, which generally is made up of Scandal and Slander ; and yet, if Authors must put their Names to what they write we shall have no more of it. I shou'd be glad to see the *Windsor Fable*, and some more such notable Performances with the Father in the Frontispiece. It is true, there is no great need of conjuring to find out the Author, there being not above One or Two in *England* that have so clever a Genius for *Anigma*, *Tales* and *Bawdy*. But it would be pleasant to see how judiciously some Men suited their Studies to their Profession.

How wretchedly the *Whigs* have argu'd for allowing the Press its full Swing may be seen by what follows, taken out of one of their most famous

famous Writers: *There never was a good Government that stood in fear of Freedom of Speech, which is the natural Liberty of Mankind: Nor was ever any Administration afraid of Satyr but such as deserv'd it. When People are conscious of no Guilt they fear no Censure. Innocence despises it, and as Juvenal complains, the Times cannot be worse than when Truth dares not appear without Disguise, and Men are deny'd the use of their Reason.* Which is very easily answer'd: For Governments and Ministers do not always fear the License they chastise, and exert their Authority more with regard to Others than Themselves. There are also a great many Truths which it would be Criminal to Publish: for if by the Law of *Scandalum Magnatum* you are liable to it for speaking what's true to the Injury of a Peer's Reputation; much more should you be so with Respect to Ministers and Governments; who may, if they please, neglect such Things as they relate to themselves; but for the sake of Society should hinder all other Defamatory Libels, and Invectives. The same Emperor *Tiberius* said upon this, *If any one speaks evil of me I will give him as good an Account of my Words and Actions as I can, and if that will not satisfy him, let him hate on, I'll hate him as much.* The best way in the World for Ministers to suppress all Libels against themselves, is to follow *Tiberius's* Method, and give as good an account of their Words and Actions as they can, which would in our Days be enough to silence all Gainfayers. There was something more extraordinary in the Conduct of *Caligula* his Successor, who was no more a *Whig* than himself. And the same Author, and his Translator in-

form

Vit. Cal. form us, that he Order'd the Writings of Titus Labienus, Cordus Cremutius, and Cassius Severus, which had been suppress'd by Decree of Senate, to be Re-publish'd for every one to read; affirming, that it was for his Interest to have the Actions of Great People, be they what they would, transmitted to Posterity. Now Cremutius had written a Book of Annals, wherein he applauded Brutus and Cassius; much like killing no Murder, in late Times. And Severus was One that made it his Business to Lampoon the Nobility both Men and Women. And his Kinsman Nero,

Vit. Ner. When the Informers had brought certain Authors, who had writ some Scurrilous Epigrams against him, before the Senate, wou'd not suffer them to be punish'd with any Severity. I chuse to put you in mind of the Acts and Sayings of these Roman Emperors, because it cannot be suspected they cou'd countenance any thing that was Antimonarchical: And to shew that they did not value the Rallery and Reflections of the Writers of those Days: Yet their Justice and Clemency in other Cases are not the most Exemplary we meet with in History.

I might have mention'd *Augustus, Vespasian*, and other Emperors of a more Whiggish Character; but I thought it wou'd not pass with you so well: However, let 'em be what they will, if they said what was right, it is not much the worse for it; and I cannot help taking notice of *Augustus's* Temper on this Occasion. *Emilius Alianus* of *Cardoua* being wont to speak Scurrilously and Irreverently of *Cæsar*, he turn'd to the Informer, and in a seeming Passion cry'd out, *I wish thou could'st*
but

but prove this to me, I wou'd make Ælianus know that I have a Tongue too, and cou'd say much more of him. That was fair. Use Reprisals, or, as the Proverb says, give 'em as good as they bring. But do not answer Truth with Power; That was Augustus's Opinion. And Tiberius, when he was young and hot, urging him to revenge an Affront of that nature, He reply'd, *Be not so hasty, my Tiberius, to give way to the Heat of Youthful Passion in the Prosecution of that Matter, and to take it so over-hainously that any one presumes to speak Evil of me; for 'tis sufficient that our Condition is such, that no Body can do us any harm.*

A Thousand other Instances of this kind; I might produce out of Ancient and Modern History. Particularly those of *Philip the 11th of Spain*, and *Henry the 4th of France*; Two of the greatest Princes of those Nations, who always shew'd a Contempt for the Liberty People took in speaking of them. And it seems natural for such as are truly above it; to despise it; Scandal never injuring those that it do's not touch: Of which we have our selves a Recent Example.

The most Illustrious Character in this Kingdom has for a long while been the Mark of our Malice and Calumny, yet his Merit has render'd him Invulnerable, and all the Shot aim'd at him returns on our selves. If he deserv'd the Usage he has met with from us, wou'd he not Exclaim against the Infamous License of the Press, and be for Suppressing it for ever? Yet, I believe, all the Authors in *England* wou'd be glad to have the Case determin'd by his Vote. As he is not at

all concern'd at the Wicked Libels that are daily publish'd against him, without the least Check or Discountenance, and, one wou'd think, with the quite Contrary; so he looks on 'em with the same Indifference as if you shou'd call him a Dwarf or a Leper, tho' his Mind is scarce more Great, than his Person is Graceful. I cannot help saying so; 'tis between you and me; pray let it go no farther; for I know it wou'd be a very ill way of making my Court somewhere. If this be true, and a Man thus abus'd, thus vilify'd and defam'd, is so conscious of his own Innocence, as to be willing rather to enlarge the Liberty of the Press, than to lessen it, let our Reflections look the other way, and I fancy you will grant with me, that tho' whatever is Infamous in the License of Printing shou'd be restrain'd, yet whatever is True and Decent, whatever the Law will allow, may and ought to be permitted, without putting Hardships on Writers in complacency to some Tender Humours, who are offended at every Thing that do's not make for Them. I shou'd gladly give an Affirmative to any Act that wou'd answer the Intent of the Speech from the Throne; which, I am satisfy'd, is to prevent all Inconveniences, and not to make any. And in the Prosecution of this Affair, I doubt not this will be the general View: For which Reason it is that I have spent some Hours in considering it, having no Notion of Publick Affairs; but that it is not only the Liberty, but the Duty of every Man in a Free Nation to offer his Sentiments, if he do's it with the Modesty and Submission that I shall always observe.

There

There was some time ago a Pamphlet handed about, which pretended to foretell what wou'd come to pass in the late Changes, wherein the *Whiggs* shew'd themselves as ill Prophets in other men's Matters as they were in their own; for I defy 'em to prove, that one of those Things have so come to pass. It was ever in their Mouths, that a Stop wou'd be put to the Press, and the Arguments they us'd for it were as ridiculous as those they give for continuing this Bloody and Expensive War, when we may have a Peace. They said the *Tories* always did so and so when the Power was in their Hands, and then ript up old Stories 30 or 40 Years before *Forty-One*, which we can never remember 'em of too often, to be even with them for laying all the Faults that were committed before that Year at our Doors. Among which, none do they hang upon so much as our pretended Cruelties to People for using Freedom of Speech, and the Privilege of the Press. This we did, say they, if what they say signify'd any thing, when we were ourselves the greatest Offenders, and abus'd the latter outrageously. As when *Dr. Sibthorp* preach'd and printed, *that the King might impose Taxes without Consent of Parliament, and that his Subjects were in Conscience bound to submit to his Royal Will and Pleasure*: for which he was made the King's Chaplain. When *Dr. Manwaring* preach'd and publish'd, *that the King was bound by no Laws, but that his Royal Will in imposing Taxes, oblig'd the Subject's Conscience upon Pain of Eternal Damnation*: for which he was made Bp. of *St. David's*.

When Dr. *Mountague* wrote and printed for Popery and Tyranny, and was afterwards made Bp. of *Chichester*; while, on the contrary, the Printers of the Answers to those Seditious Libels were question'd in the High-Commission-Court; which do's not look, say they, so Fair and Impartial as Men of Church-Principles shou'd always be. They blame us farther, for extending our Severity in a most inhumane Manner against all Men of opposite Sentiments to us. They put us in mind of the Prosecution of the Earls of *Bedford*, *Clare* and *Somerset*, Sir *Robert Cotton*, Mr. *Selden*, Mr. *St. John*, and Others, at once, for spreading a Pamphlet written by Sir *Robert Dudley* at *Florence*, Ancestor to the present Du---s of *Sb---*; of that of Dr. *Leighton*, who, for some Schismatical Tenets, was Sentenc'd to Perpetual Imprisonment, and Fine of Ten Thousand Pounds, to be Degraded, Pillory'd and Whipp'd, to have his Ears cut off, his Nose slit, and his Face branded. That of Mr. *Prynne*, a Barrister of *Lincolns-Inn*, who, for Writing his *Histriomatrix* against Plays, Masques, Dancings, &c. was sentenc'd to be put from the Bar; To be made for ever incapable of his Profession; to be excluded from the Society of *Lincolns-Inn*; to be Degraded at *Oxford*; to stand in the Pillory in *Westminster* and *Cheapside*, to lose both his Ears; to pay a Fine of Ten Thousand Pounds, and to suffer Perpetual Imprisonment. He was again condemn'd in a Fine of Five Thousand Pounds, with Pillory, and the Loss of Ears, and the very Remainers of Ears. As were also Dr. *John Bastwick* and Mr. *Henry Burton*, a Minister and Physician, for Writing against the *Hierarchy* of the Church.

Church. Now tho' 'tis certain that we may as well Charge the Opposite Party with the Murder of the Royal Martyr, and yet not a Man living had a Hand in it; They are however always twitting us with these *Wholsome Severities*, tho' there's not a Mortal alive who any way gave his Assent to such Horrid Barbarity: Of which my Lord *Clarendon* writes thus with his usual Eloquence and Judgment.

“ *Prynne, Bastwick and Burton* were Three
 “ Persons most notorious for their declar'd
 “ Malice against the Government of the
 “ Church by Bishops, in their several Books
 “ and Writings, which they had publish'd to
 “ Corrupt the People, with Circumstances
 “ very Scandalous, and in Language very
 “ Scurrilous and Impudent; which all Men
 “ thought deserv'd very Exemplary Punish-
 “ ment. They were of the Three several
 “ Professions which had the most Influence
 “ upon the People, a Divine, a Common
 “ Lawyer, and a Doctor of Physick; none
 “ of them of Interest, or of any Esteem with
 “ the Worthy Part of their several Professi-
 “ ons, having been formerly all look'd upon
 “ under Characters of Reproach: Yet when
 “ they were all sentenced, and for the Exe-
 “ cution of that Sentence brought out to be
 “ punish'd as Common and Signal Rogues,
 “ expos'd upon Scaffolds, to have their Ears
 “ cut off, and their Faces and Foreheads
 “ branded with hot Irons, (as the poorest
 “ and most Mechanick Malefactors used to
 “ be, when they were not able to redeem
 “ themselves by any Fine for their Trespasses,
 “ or to satisfy any Damages for the Scandals
 “ they

“ they had raised against the good Name and
 “ Reputation of others,) Men began no
 “ more to consider the Manners, but the
 “ Men, and each Profession with Anger and
 “ Indignation enough, thought their Educa-
 “ tion, Degree, and Quality, would have
 “ secured them from such Infamous Judg-
 “ ments and Treasured-up Wrath for the
 “ Time to come.

How just are the Reflections of this Excel-
 lent Historian! And I have read it in more
 than one Author, that those Cruelties were
 not one of the least Steps to the Hated Rup-
 ture that happen'd not long after between
 King *Charles* the First and his People.

It were to be wish'd that only the blackest
 Part of our Annals were stain'd with this
 Rigor against Freedom of Speech; that the
Forty-One Parliament, and *Cromwell* after them,
 had only shewn their incurable Aversion to
 such Liberty as they did on all Occasions.
 The Former sequestering immediately all those
 that presum'd to say a Word for the Old Con-
 stitution, and the latter forbidding the *Print-
 ing any News or Intelligence without the Secretary
 of State's leave*; which was not the only Ty-
 rannical Act of his Usurpation. And it is
 worth Observation, to see how the *Whigs* ex-
 claim against the Severities of King *Charles*
 the First's Reign, with respect to Speaking,
 Writing, and Printing, and pass over *Crom-
 well's* Arbitrary Ordonance, for the most into-
 lerable way of Licensing; We should quickly
 have an End of all News-Papers and Others,
 if none were to come out without a Secre-
 tary's *Imprimatur*; I am sure you can never
 con-

consent to that, nor indeed to any *Licenser* at all ; it putting it in the Power of the Predominant Party to let us see nothing which is not for their Purpose ; and considering what an Effect, as we have found by late Experience, such an Advantage has on the Publick, it wou'd dispose us too much to receive such Impressions as might weaken our Concern for the present Establishments, and prepare us for whatever Compliances might be exacted of us.

I hope whatever we have suffer'd by the Reproaches of our Adversaries for favouring Despotick Power, we shall never imitate the Maxims of those Governors in Times of Anarchy and Usurpation. Methinks it has too much Affectation of *French* Politicks. Nothing can come out there but what the Court pleases ; The very Gazetteer is circumscrib'd to a Number ; and the Sale, as well as the Writing and Printing, has a particular License. Let us make it appear that we, who have for these Twenty Years been Exclaiming against the Arbitrary Practices of the *Whigs*, are what we have so long pretended to be, the only true Friends of Liberty ; which we cannot be, if we confine the Tongues and Pens of Men to a Party. As we are in the Right both in our Doings and Designs, what can we fear ? And if we shou'd ever lose the Superiority we have so justly acquir'd, wou'd it not be a sad thing to have the Press in the sole Hands of those that know so well how to manage it ? Among Friends, our Authors have done every Thing by Assertion and Assurance. We never had a Nack at Scribling ; and had not a
lucky

lucky Event happen'd, our Scandal wou'd not have gone down as it did. The *Whigs* have the Wit and the Learning. 'Tis too true; and if they shou'd ever have the Mastery of the Press too; if we shou'd ever be debarr'd from Publishing our Fictions and Invectives, which will be the sure Consequence of compelling Authors to own what they do, we shall be routed for ever. Can we pretend to carry a Point by our Reasoning or Railery? Have we any Authority to justify us but the Statute? And if that's against us, we are undone. Are we sure to be always in Possession of what we never in our Lives cou'd keep above a Year or two? We have ever been for driving furiously, which is the ready way to overturn; and that has been so frequently our Misfortune, we shou'd be mad if we have not improv'd by our Experience, and learnt that Mildness and Moderation are the only sure Methods of establishing ourselves in a Country so fond of Freedom, that they have within these twenty Years spent 150 Millions to maintain it. Instead of bringing a new *Odi-um* upon us, I wish with all my heart we took a little more Care to wipe off the old. I wish the History of *England*, since the Restoration, was not so full of Instances of our Attempts upon Liberty, in which we err'd mostly in the Press; and it is but a melancholy Reflection for us, that we must ne'er hope to have Truth and Liberty on our Side. There wou'd be no End of it if I shou'd go about to tell you what the *Whigs* say of our Practices in King *Charles's* and King *James's* Reign against an innocent Use of the Press, and the

the Cruelties exercis'd by us against those that oppos'd us. Not to mention the Case of Mr. *Sydney*, for Writing what has been since Printed with general Applause. They have a hundred Stories of our Persecutions on that Score; and, upon my word, I am asham'd that we shou'd be always afraid of the Light, as if ours only were the Works of Darkness. They pretend, that two or three Years after the Restora- 1663.
tion, a Bookbinder was Pillory'd for Binding a Book that was not to the *Gout* of the Times: That we Hang'd *Colledge* the Joyner for repeating a few Scoundrel Verses which fail'd in Respect to King *Charles*: That we Prosecuted Sir *Samuel Barnardiston*, Condemn'd him in a Fine of 1000*l.* for Writing three or four Letters into the Country about the *Fanatick* Plot: That we were the main Instruments in the horrid Barbarities inflicted on Mr. *Johnson* and Others, for Asserting some Principles which the whole Nation have since own'd in the most solemn manner. Nay, they go so far as to upbraid us with being against Printing the very *Votes* of Parliament; Witness the fine Speech made by that Able and Eloquent Minister Sir *Lionel Jenkins* to the *Oxford* Parliament; In which he call'd it *an Appeal to the People*.

They urge on their own behalf, that it cannot be laid to their charge, that ever since the *Revolution*, when Affairs have been most under their Management, they once suffer'd a Man of any Character to be punish'd for abusing the Liberty of the Press; alledging, that whatever has been done of that kind was by such Persons, as only join'd with them

in appearance to compass their own sinister Designs, while at the Bottom they were then as much Ours as they have since appeared to be so. Thus all the Guilt of this Nature, all the Attempts against the Freedom of Speaking, Writing, and Printing, which have been made in *England*, all the Cruel and Bloody Prosecutions on that Account are charg'd to us, and it will be an ill way to get off of it, to put new Difficulties on the Press which will in time be its Ruin.

The *Whigs* brag, that their Conduct has always been such as to bid defiance to Malice: That whenever they have attempted to regulate the Press, it was not to screen their Leaders from the Animadversion of the Publick, but to reform Manners, and support Religion: neither did they ever think of laying it under new Restraints, but to execute the Laws already in Force, leaving it to the Prerogative to order how they should be put in execution. They say, all they ever did concerning it, was in their Address to King *William* soon after the *Ryswick* Peace: *We further, and in all Humility, beseech your Majesty, that your Majesty will give such effectual Orders as to your Royal Wisdom shall seem fit, for the Suppressing of all Pernicious Books and Pamphlets, which contain in them Impious Doctrines against the Holy Trinity, and other Fundamental Articles of Faith tending to the Subversion of the Christian Religion, and that the Authors and Publishers thereof may be discountenanc'd and punish'd.* Such as dare broach any Heterodox Notions contrary to our Holy Faith, are now liable to Laws enough, and there's no body will be against punishing them. But really I do not find,

find, that our present Exceptions to the Press are so much on account of Religion as for the sake of particular People, who can never hope to have it on their side, and therefore wou'd be very glad if it were suppress'd.

It was urg'd by Mr. Somers, at the Bishops Tryal, That *nothing could be a Libel where the Intent was innocent.* How far from such Imputations then are all those Writings, that aim at the Safety and Glory of our Country, the Security of our Liberties and Religion: Yet it is plain, there can be none of them for the future, if the Freedom of the Press, as well as the Abuses of it be restrain'd; it being a very easy matter to turn any thing that's written contrary to the Humour and Interest of certain Persons, into Libels against that Government which it endeavours only to defend. There is hardly a Pamphlet Publish'd by the *Whigs* within these Two Years but wou'd have been Loyal and Meritorious before that Time, and now they are all cry'd out against as Scandalous and Seditious. Wou'd not one think, some Men among us were of the Opinion of a Judge of our Party in King *James's* Reign, who gravely deliver'd it on the Bench in *Westminster-Hall*, That *no Man can take upon him to write against the Actual Exercise of the Government, unless he have leave from the Government; but he makes a Libel by what he writes, whether true or false.* 2. That *no Private Man can take upon him to write concerning the Government; and therefore if he intrudes himself into the Affairs of the Publick, he is a Libeller for so doing.* Which was then deem'd so contrary to Law, that Judge *Powel* & Serjeant *Pemberton* took him

up for it in Court ; and History tells us, *little heed was given to any Thing he said afterwards.* It being the known Privilege of *Englishmen* to Speak, Write, or Print, whatever is not against Law ; and this happiness will, I hope, be left by us to our Posterity as compleat as we received it from our Ancestors. *I thank God,* says a noted Writer of this Age, *for this great Blessing to us, that we live in a time when we may not only think or speak, but also safely Write what we believe to be the Truth, to which all Mankind owes Allegiance.* To write what one believes to be the Truth would be indeed a noble Priviledge, but perhaps it might be too liable to abuse. If I should say every Thing I at this Time believe to be True, I know very well what would be said of me. I would not desire such a perfection of Happiness, I should be content with an allowance, to say what is True, what every Body knows to be True, and no more. But there are many important Truths which are absolutely necessary to be told, and yet who would undertake to tell them if he must expose himself to the Malice and Fury of a Party? If Men have Power how easy is it to turn Truth into Scandal, and Satyr into Sedition? How safe will such be in the greatest Crimes if they must not be told of it? How securely might we sit in the midst of Peril when none must tell us our Danger?

We are all fully persuaded, that none of this Peril can threaten us in this Reign and this M——y ; but will any Difficulties put upon Authors extend no farther? Will any Statute to that purpose cease when the Danger begins? Who will have the explaining of
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it? Will it not be the Tools and Creatures of the Persons offended? It is in the memory of most of us, what mighty Advantage to the Protestant Religion, the Press was in King *James* the II^d's Reign, What, on the contrary, was the Service it did to his Succession in his Brothers, when Sir *Roger l' E- strange* was set to work by the Court to ridicule our Liberty, and turn our Constitution into a Jest: Such Times may come again when our Q — n is in Heaven, and we have no other defence but the Law. If that is turn'd against us: If nothing must be said but what the Ministers of Popery and Arbitrary Power approve of, if Writers are to dare the Authority of the Instruments of Tyranny, Enflam'd by Revenge, and Supported by Power; where shall we, and our Posterity, find Authors to vindicate that good Cause, which has been seal'd with the Blood of so many Hundred Thousand *Englishmen*, and purchas'd at the Price of a Treasure that would have amaz'd *Old Rome*?

There may be Persons, I doubt not, who looking on all such Considerations as Trifles, would for their own Private Concernments, sacrifice the precious Liberty we enjoy to their Ambition or Resentment. Such Men will not reflect on the Fate of others who have been the First Sufferers, by their own Partial and Cruel Laws? But this can never be the Case of a Rich, Wise, and Great People, as is the *British* Nation, who have done such glorious Things for the Liberties of Others, and would surely be very unworthy of that Character if they should expose their own. *Print- ing*

ing may be look'd upon as a Matter of small moment, a mean Trade, that adds very little to the Publick Welfare, and if it was ruin'd we should be no losers by it. No more indeed should we be, if Learning, Arts, Religion, & good Manners were of no benefit to us; of which we should be but ill satisfy'd, if we could give credit to what the greatest Master in Politicks that ever wrote says, *That those Men who have excelled in the Sciences & the Belles Lettres, deserve equal Glory with such as have invented Religions, conquer'd Countries, or founded Governments.* It may be said, How can *Printing* suffer by a force upon Authors to own Themselves? In which we need only refer to common Observation, and we shall find that scarce One Part in Ten of the Valuable Books which are Publish'd are with the Author's Names; I mean not only of State Books, of Politicks, but of Religion, Science, and Humanity. If such a Statute had been in being Fifty Years ago the Modest, Pious, and Worthy Author of the *Whole Duty of Man*, had probably never thought of reducing his Contemplations into a Form fit for Publick use; and that Treatise which for its Piety is esteem'd above all others, even next to the Scripture it self, had never been seen amongst us. The same may be said of other Works of great Merit, I might instance Three excellent Volumes written by a Noble Peer, which most certainly would have rested in his Closet had there been a necessity of putting his Name to them if they were Printed. Such had been the Fate of the late Marquis of *Hallifax's* Writings, there being a Thousand Reasons which
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none but Authors can so well account for, why all Men should not at all time own what they write for the use of the Publick ; inso-much, that whatever is done to enforce it, will be thought to be done with an intent to discourage the Press in general.

How far the Loading it with heavy Taxes may have that effect, let others determine ; my present design having more reference to Authors than to the Trade ; being under no apprehension, that a Parliament so zealous for the Interest of the Common-wealth will do any Thing that may be to its prejudice ; and that the Press should contribute as willingly as any Body to the Charge of so just, necessary, & glorious a War, if the Wisdom of the Nation thinks it one of the most effectual means to answer the ends propos'd by it. There seem however some Doubts which I, wish I could solve as well as I would ; & that is, that if Money is propos'd to be rais'd by a heavy Tax on Printing, there can be no dependance upon it ; for no Man can calculate what it would amount to, or whether there will be half, or perhaps a Quarter of the Printing as is at this time ; and the Tax being on small Works, as Pamphlets, and News-Papers ; Whether it will not sink them to such a Degree that there can be no charge so little in collecting it, which will not exceed the Income. For there is hardly one Paper in Twenty that will have Worth enough to encourage the Proprietors to venture on an Expence, of a Farthing a Sheet extraordinary, which of it self alone would be equal to that of Paper or Print : Wherefore, there seems to be another Consequence

quence in such a Proposal, that will end much in the same as a Law for Authors to put their Names upon all occasions. There's scarce any body who would not immediately conclude, that a Duty on Tobacco-Pipes, Glass Bottles, and some other necessary Commodities, which were Tax'd in King *William's* Reign, would bring in more Money than any Imposition on Printing can do ; and yet we all know how short the Project fell, and that it did very little more than defray the Charges of the Commission. I have read somewhere of a Deficiency of 2 Hundred Ninety Seven Thousand Pounds in a Fund of Three Hundred Thousand ; and I dare affirm, one cannot think of any Thing that is so likely to be attended with the same disappointment as a Printing Tax. I have heard talk of Two Pence a Sheet on some Pamphlets, which would raise a Sixpenny one to Eighteen Pence, and how that would succeed in a Trade that subsists chiefly by Curiosity in Times when Money is not so plenty as at *Mexico*, I leave any one to judge. I verily believe, that had there been Two Pence a Sheet on Pamphlets this Winter we should only have seen the *Conduct*, the *Remarks*, and the *Answers* ; And it may be easily seen, that a Tax upon them would not even at Two Pence a Sheet have Rais'd above Two or Three Hundred Pounds, so much less would have been the Consumption. And all the Works of the whole Fry of Pamphleteers & Scriblers, which without doing a Pennyworth of Harm have maintain'd 2 or 300 Families, wou'd have been as little heard of this Year as they will be the next.

In short, they wou'd have had the Fate of *Zimri's* Ten Thousand Whims, and have all dy'd in thinking.

One Thing more might be observ'd of Printing, with respect to the Author or the Tax, which is, that it will not have the Effect intended. For as to the Tax, those who are aggriev'd will not think much of paying it if their Case is worth it. And as to Authors, those that write for Bread will not starve out of Modesty, and the rest will not want the means that have been always practis'd to disperse such Papers as cou'd not appear in the common way ; as may be imagin'd, when *Monmouth's* Declaration was so soon re-printed in *London*, and so many of King *James's* have had the same Fortune. Now if People will out of Zeal or Interest, venture their Necks, to publish what they have a mind to, it will be a Miracle, if those who are most set against the Press gain their Point by a Method less bloody and terrible, as it must be in so just and so merciful a Reign ; especially considering there is not the least ground to fear, that any *Englishman* can be so wicked and ungrateful to so gracious a Prince as ever to incur the penalty of Treason, and that any thing in State-Matters will ever extend to the Throne ; which if it did I should as willingly leave it to the utmost severity of the Laws as the most inveterate Enemy to the Press could do, but should always distinguish between the State and the State-Servants. As to the Latter, they are generally Persons of Birth and Fortune ; and one would hope we are too Polite not to know the Respect that is due to their Quali-

lity, and that we do not want a Law to teach us good Breeding. If what is said of 'em is False, such as say it are already sufficiently accountable; If True, I do not see how these Men can suffer by the Press; since it is not to be question'd but they will all in their several Stations so discharge their Trust as to be more in fear of Flattery than Scandal, which I affirm has not done so much mischief. It will be very hard to allow me to praise a Man for his Wisdom and Eloquence, when it is a Composition of Confusion and Craft; for his Wit and Spirit, when it is only Pertness and Conceit; for his Piety and Learning, when nothing but Pedantry and Bigotry; and at the same time to forbid me to tell the Truth, without the Charge of Sedition. If the Restriction treated of extended to Adulation, and he who told a Lye in praise of a Person was to be on a Level with him who spoke Truth to his Dispraise, it wou'd be something: But no body who is afraid of Printing will consent to such an Equality. I have not in this Discourse endeavour'd to prove by a Series of Logical Arguments, that Printing is one of the Supports of Liberty, and that we cannot be free unless that is so too, under such reasonable Regulations as the Royal Wisdom shall think convenient. I judg'd it more proper to remember you of the Practice of Antiquity, with reference to Freedom of Speech, and Writing, and our own Experience in this Nation. If we look abroad we shall find that this Freedom is not infrin'd in any of the Countries that have preserv'd their Liberties. That on the contrary,

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in *France, Spain, and Italy*, where there remain not the least Footsteps of it, nothing can be Publish'd but what is entirely on one side. Tho' there is no Country in the World where there are not Two Interests, Personal, and Publick; and the latter in all Despotick Governments is always forc'd to submit to the former. The very ill Consequence of this Partiality in such Places is of it self enough to deter us from doing any Thing that looks like it, if we knew how it far'd with our Neighbours, as soon as their Princes became absolute Masters of the Press, we should be as jealous of that Privilege as of any other, and a Vindication of it wou'd have been as Impertinent as, I fear, it will be Unfortunate.

F I N I S.
